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4 IN THE UNITED STATES DISTRICT COURT  
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
67  
8 KRISTEN L. MILLER,

9 Plaintiff,

10 v.

11 PAUL FINANCIAL LLC, et al.,

12 Defendants.  
13

NO. C10-5562 TEH

ORDER DISMISSING CASE

14 Defendant OneWest Bank, FSB filed a motion to dismiss and noticed the motion for  
15 hearing on March 7, 2011. Plaintiff Kristen L. Miller failed to file an opposition or statement  
16 of non-opposition, which was due on February 14, 2011.

17 On February 15, 2011, the Court issued an order to show cause as to why this case  
18 should not be dismissed for failure to prosecute. The order provided that this case would be  
19 dismissed with prejudice if Plaintiff failed to file a written response to the order to show  
20 cause and an opposition or statement of non-opposition on or before February 23, 2011. The  
21 order also required Plaintiff's counsel to register with the Court's electronic filing system.  
22 None of these requirements has been satisfied, and this case is therefore dismissed with  
23 prejudice for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b). The  
24 Clerk shall close the file.

25 The Court further observes that Plaintiff's counsel, Gregory Alan Baker (California  
26 State Bar No. 194654; 3270 Inland Empire, Suite 100, Ontario, CA 91764; (909) 204-6900),  
27 similarly failed to respond to a motion to dismiss and an order to show cause in another case  
28 in this district: *Gilbert v. World Savings Bank, FSB*, Case No. C10-5162 WHA. The Clerk

1 shall send a copy of this order to the Office of the Chief Trial Counsel/Intake, State Bar of  
2 California, 1149 South Hill Street, Los Angeles, California 90015-2299, for investigation as  
3 the Bar deems appropriate.

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5 **IT IS SO ORDERED.**

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7 Dated: 02/24/11



THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT